

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

<b>IN RE: ETHICON, INC. PELVIC REPAIR</b>	)	
<b>SYSTEM PRODUCTS LIABILITY LITIGATION</b>	)	
	)	<b>MDL NO. 2327</b>
	)	
<b>THIS DOCUMENT RELATES TO:</b>	)	
_____	)	

**QUALIFIED PROTECTIVE ORDER**

The individuals listed on attached Exhibit A have asserted claims against defendants in the above captioned action. These individuals have retained McSweeney/Langevin, LLC (“Counsel”) to represent them in relation to the above-captioned action. Counsel agrees that they represent the individuals identified in Exhibit A.

**IT IS HEREBY ORDERED AS FOLLOWS:**

1. By virtue of their status as Counsel for the individuals listed on Exhibit A, Counsel shall resolve any potential Part A and/or Part B fee-for-service Medicare Secondary Payer (MSP) claim(s) related to settlements, judgments, awards, or other payments associated with the above captioned action for those individuals on Exhibit A who are or were Medicare beneficiaries.
2. Counsel has also retained ARCHER Systems, LLC (“ARCHER”) to identify and resolve potential healthcare liens with Medicaid agencies, TRICARE, Veteran’s Administration, Department of Defense, Indian Health Services, and private health insurers, (hereinafter, collectively “the Agencies”) claim(s) related to settlements,

judgments, awards, or other payments associated with the above captioned action for those individuals on Exhibit A who are or were beneficiaries of the Agencies.

3. The entry of this HIPAA-compliant qualified protective order is necessary in this action in order to permit the Agencies to transmit lists of information, including protected health information and other related information regarding the individuals listed on Exhibit A to ARCHER, rather than providing copies of individual HIPAA authorizations and information on a claimant-by-claimant basis, including any third party authorized by ARCHER or the Court to assist in the resolution of the Agencies' potential liens and reimbursement claims.
4. As such, it is hereby ordered:
  - a. This Qualified Protective Order shall apply to all "protected health information" and "individually identifiable health information," as defined by 45 CFR § 160.103, or information that is otherwise protected from disclosure by the Privacy Act, 5 U.S.C. § 551a, the Health Insurance Portability and Accountability Act of 1996, Pub. L. 104-191, 42 CFR § 431 Subpart F, titled "Safeguarding Information on Applicants and Recipients" and other applicable state law, created, received or collected from plaintiffs and claimants by the Agencies, including, but not limited to: (a) names and addresses, dates of birth, social security numbers, identification numbers and other demographic information that identifies, or could be used to identify the individuals listed on Exhibit A; (b) eligibility and entitlement information for the individuals listed on Exhibit A; (c) claims information relating to the past, present, or future health care of the individuals listed on Exhibit A; (d) claims information relating to the provision of healthcare to the individuals listed

on Exhibit A; and, (e) claims information relating to the past, present, or future payment for the provision of healthcare to the individuals listed on Exhibit A.

- b. Each Agency is hereby authorized and directed to transmit to ARCHER to assist in the resolution of potential liens or reimbursement claims, any information, including claims information and other protected health information, for those individuals listed on Exhibit A against whom they may assert liens or reimbursement claims.
- c. ARCHER shall not use or disclose any protected health information or individually identifiable health information subject to this Qualified Protective Order for any purpose other than this litigation, including compliance with any applicable Court orders or other legal obligations. Similarly, the Agencies shall only use the information listed on Exhibit A for the specific purposes of transmitting to ARCHER any information, including claims information and other protected health information, for those individuals listed on Exhibit A in the above-captioned matter against whom the Agencies have asserted liens or reimbursement claims, or in whose potential settlements the Agencies may have an interest. The Agencies shall only make the information for the individuals listed on Exhibit A available to those within their respective Agency who need access to the information for the individuals listed on Exhibit A for the specific purpose stated in this paragraph. If the Agency utilizes outside vendors or companies to perform part or all of their tort recovery practices, the outside vendors or companies shall be expressly bound by all terms and conditions of this Qualified Protective Order.

- d. ARCHER shall maintain any protected health information or individually identifiable health information subject to this Qualified Protective Order in a secure and safe area and shall exercise the same standard of due and proper care with respect to the storage, custody, use and/or dissemination of such protected health information as is exercised by ARCHER with respect to its own confidential proprietary information.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2022.

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JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE

## EXHIBIT A

Last Name	First Name	DOB
Abruzzese	Dorothy	1942
Adams	Yvonne	1960
Alea-Schiliching	Ana	1962
Anderson	Cynthia	1958
Armour	Kristin	1983
Auten	Patricia	1954
Baker	Rosemary	1972
Beckworth	Sherry	1965
Bird	Jennifer	1974
Bittaye (Emanuel)	Franchesca	1966
Blake-Rogers	Doneisha	1967
Blasi	Patricia	1946
Block	Carol	1935
Bolden	Angie	1947
Boothe	Helen	1963
Bratcher	Daniella	1974
Briggs	Margarita	1953
Bright	Aleatha	1972
Brodie	Suzette	1958
Brooks	Annette	1958
Brown	Jamie Karen	1956
Burgess	Priscilla	1950
Canterbury	Sherry	1964
Carter	Nancy	1961
Castillo	Deborah	1964
Cawood	Alisa	1958
Chapman	Becky	1953
Coby	Patricia	1965
Collado	Gladys	1974
Collamore	Rebecca	1954
Collins	Nancy	1974
Combs	Flossie	1951
Conley	Hazel	1933
Cooper	Kathy	1958

Last Name	First Name	DOB
Correa	Carmen	1955
Filomeno		
Cox	Cindy	1962
Coy	Carol	1952
Crocker	Shameeka	1975
Curry	Monica	1968
Davis	Joan	1951
DeFoy	Susan	1966
Dillman	Juanita	1945
Dingman	Joan	1943
Dorsey	Imelda	1958
Douglas	Jamie	1977
Ducharme	Itsia	1947
Dunlap	Diana	1962
Enrietta	Bobbette	1964
Escobedo	Rebecca	1973
Fierro	Virginia	1957
Fitzgerald	Leslie	1963
Flath	Caroline	1966
Fleming	Kathie	1953
Flowers	Melissa	1957
Waters		
Foltz	Rhonda	1967
Font-Galarza	Evelyn	1957
Ford	Teresa	1959
Franklin	Susan	1955
Franks	Debra	1960
Frazier	Lydia	1965
Freeman	Evelyn	1955
Friel	Lynae	1966
Garcia	Martha	1975
Gatto	Sharon	1950
Gentry	Evelyn	1939
Gibson	Evelyn	1959
Glass	Deneen	1964
Gossett	Karen	1961
Gray	Gwendolyn	1953

Griffin	Marilyn	1953
Guerrero	Mercedes	1963
Guillory	Carol	1947
Haney	Karen	1961
Harrell	Charlotte	1943
Harty	Robin	1970
Hawk	Emily	1962
Heath	Eliza Jane	1955
Hegarty	Belinda	1962
Herrera	Lisa	1973
Hicks	Zina	1966
Hines	Audrey	1964
Holbert	Tina	1966
Hudson	Diana	1961
Humphrey	Jeannette	1969
Jackson	Bonnie Lee	1961
Jacquez	DeLena	1975
Jesfeld	Carol	1940
Joseph	Valsa	1944
Kannegieter	Sherry	1951
Kilker	Samantha	1970
Kizzire	Amy	1974
Kochis	Gail	1952
Koochagian	Loretta	1939
Koverman	Rosie	1956
Lagou	Denise	1963
Lane	Julia	1952
Large	Laurie	1969
Latiolais	Lacey	1983
Leavy (McMenemy)	Coleen	1971
Ledger	Carrie	1974
Legore	Maxine	1962
Lipkowitz	Liliana	1956
Lockwood	Vera	1956
Lorenzana	Nelly	1960
Mace	Diane	1960
Maraboto	Ludivina	1956
Marshall	Kellie	1964
Mata	Estela	1949

Melanson	Judy	1956
Middlebrooks- Pierce	Valerie	1963
Miller	Gwendalynn	1974
Miller	Theresa	1955
Mistretta	Louise	1953
Morrison	Deborah	1960
Moyer	Christine	1975
Mundy	Anita	1963
Nelson	Loretta	1944
Olivarez	Rosalva	1956
Painter	Helen	1969
Parah	Tammy	1971
Patterson	Deborah	1956
Phillips	Deborah	1963
Phillips	Roxann	1961
Pickett	Tonya	1973
Price (Russell)	Darlene	1942
Rajceovich	Barbara	1949
Rawlings	Shirley	1936
Rebman	Debra	1957
Renshaw	Launi	1981
Richards	Charlene	1952
Riesman	Bonnie	1950
Rivera	Mariangelly	1971
Rodriguez	Lourdes	1960
Rodriguez	Maria Denise	1967
Rodriguez	Ramonita	1963
Rodriguez	Sheryl	1958
Rosado	Mary	1955
Rosario	Ivette	1971
Russell	Lisa	1966
Salika	Shirley	1933
Sargent	Mary	1967
Sherman	Margaret	1937
Shorten (Mathews)	Alicia	1978
Shuman	Dinah	1958
Simmons	Heather	1971

Singh	Rajmatti		1953
Smith	Carol		1939
Smith	Marlene		1938
Smith	Nancy		1965
Smrek	Paula		1962
Speights	Shannon		1970
Stalsberg	April		1970
Steele	Audrey		1970
Stephens	Carol		1961
Straight	Mary		1970
Sturtevant	Jennie		1972
Sweet	Michelle		1969
Terryberry	Jennifer		1971
Thompson	Patricia		1952
Tinnemeyer	Jo		1965
Toaster	Charlene		1948
Toole	Cynthia		1957
Travassos	Brigette		1961
Turner	Sandra		1955
Vandervort	Angela		1965
Vanpijkeren	Michelle		1966
Varona	Tammy		1967
Villanueva	Karen		1963
Watters	Wanda		1964
Whalen	Loretta		1957
Williams	Evelyn		1976
Williams	Ginger		1951
Williams	Tracey		1967
Wilson	Gwenn		1960
Wilson	Sarah		1964
Wintermote	Terri		1967
Wolf	Catherine		1961
Woods	Maurcia		1971
Worcester	Susan		1960
Young	Joyce		1947
Young	Wanda		1958
Cowan	Oralee		1941
Crockett	Anne		1963

Ellis-Kreher	Lisa		1968
Gilman	Sherry		1974
Graves	Bonita		1962
Hogate	Donetta		1946
Hurley	Mary		1957
Minter	Elaine		1937
Palmer	Theresa		1961
Rines	Melissa		1962
Thorpe	Karthyn		1943
Usilton	Regina		1966